



**DEPARTMENT OF CORRECTIONS
MONTANA STATE PRISON
OPERATIONAL PROCEDURE**

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| Procedure No.: MSP 5.3.2 | Subject: LIBRARY SERVICES | | |
| Reference: DOC Policy No.: 5.3.2 | | Page 1 of 4 | |
| Effective Date: July 13, 2009 | | Revision: new implementation date – April 16, 2013 | |
| Signature / Title: /s/ Leroy Kirkegard / Warden | | | |

I. PURPOSE

To provide all staff and inmates with access to a library containing a collection of general and legal reference materials.

III. DEFINITIONS

Librarian - the individual responsible for managing the MSP library program.

III. PROCEDURES

A. General Requirements

1. The library facilities at MSP will conform to contemporary library standards whenever possible.
2. The libraries will contain a collection of general, specialized, and reference materials.
3. A published schedule of hours of library service will be provided to the inmates. Schedules are subject to change with or without notice.
4. The library will participate in interlibrary loan programs, and will continuously acquire library materials as part of the planning process.
5. An annual survey on library content will be used to make decisions regarding acquisition of materials as a part of a systematic strategy for determining the library service needs of the inmate population.

B. Librarian Responsibilities

1. Review personnel requirements for the provision of library services to ensure inmate access to library services.
2. Conduct on-the-job training of all staff assigned to the library.
3. Develop the goals and objectives for the MSP library program. The goals and objectives will include well-articulated principles, purposes, and criteria for the selection of library materials that are relevant to the needs of the inmate population.
4. Provide for the training and use of each inmate assigned to be a library assistant.
 - a. Inmate library assistants will be selected based on their educational background, related experience, and acceptable institutional record.
 - b. Library staff will provide initial and regular on-the-job training for the assistants.
5. Conduct an annual evaluation of the MSP library services program against stated performance goals and objectives. The evaluation will be forwarded to the Warden or designee for review and incorporation into the overall facility budget proposal and goals.

C. Library Procedures

1. Inmates are permitted in the library during their scheduled library periods only. Staff will send any inmate who is not engaged in legitimate library activities back to his housing unit.
2. Inmates will be allowed to read materials in the library.

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3. Inmates will be allowed to check out books from the library. The magazines and newspapers available at the libraries are not to be checked out or removed from the library. Removal of such items will result in a disciplinary rule infraction.
4. The maximum number of books that may be checked out from the low side, high side and WRC libraries is five. This limit includes books requested from the interlibrary loan program.
 - a. Books will be checked out for a period of two weeks and may be renewed once, for an additional two weeks before they are due. Library staff will not renew overdue books.
 - b. Library staff will send one overdue notice, with a grace period of five library days. After that the inmate will receive a disciplinary rule infraction. The inmate will be charged a daily fee for each overdue book until it is returned to the library.
 - c. If a book is not returned, Library staff will assume the inmate has lost the book, and they will receive a disciplinary rule infraction. If found guilty, the inmate will be required to initiate a transfer of funds for the value of the book from his inmate account to the library account.
 - d. Prior to checking out books, materials, etc. from the libraries inmates should inspect them for damage and notify the librarian of any damage they find before they check them out.
 - 1) If a librarian discovers damage when the item is returned, and the inmate did not report the damage prior to checking it out, the inmate will receive a disciplinary rule infraction and charged replacement and/or repair costs if found guilty.
 - 2) The inmate will be denied further check out of books until the costs have been paid.

D. Special Housing Inmate Access

Inmates in the locked housing units and MDIU will be provided onsite library services, generally once a week.

E. Access to the Courts

The libraries will provide inmates access to the courts as outlined in *MSP 3.3.2*.

F. Interlibrary Loan (ILL)

1. Both inmates and staff may request ILL books from Library staff. Staff will assume all postal charges for ILL books they request.
2. Books requested through ILL are subject to the same selection criteria as materials considered for inclusion in the libraries' collections.
3. Library staff will only utilize Montana libraries to order ILL books for inmates.
4. Staff members requesting ILL book(s) from out-of-state libraries will be responsible to pay loan fees that are charged for the book(s).
5. Library staff will order only nonfiction and literature books through the ILL system. No legal books will be ordered through ILL.
6. Library staff will allow only one ILL book at a time for an inmate.
7. Any charges assessed by the lending library for late return, abuse, or loss will be assumed by the person who requested the ILL book.
8. Library staff will not order ILL books for inmates housed in the MDIU.

G. Photocopying Services

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1. Library staff will make photocopies of the following materials *only*:
 - a. Inmate legal paperwork
 - 1) General motions
 - 2) Notice of Appeal
 - 3) Motion to Withdraw Guilty Plea
 - 4) Petition for Post Conviction Relief, Memorandum and Affidavit
 - 5) Petition for Habeas Corpus Relief
 - 6) Petition for DNA Testing
 - 7) Form 28 U.S.C. 2254
 - 8) Federal Complaint
 - 9) *In Forma Pauperis*
 - 10) Petition for Executive Clemency
 - 11) Application for Sentence Review
 - b. Other documents
 - 1) Group participation
 - 2) Treatment summaries
 - 3) SSI/SSDI eligibility
 - 4) Medical information
 - 5) Court papers
 - 6) Certificates
 - 7) Resumes
 - 8) Classification reports
 - 9) Inmate copy of informal resolution form
 - 10) Food service menus
 - 11) MSP procedures/policies that are allowed through libraries services.
2. Inmates must have a copy card to have copies made – there will be no credit - no exceptions.
 - a. The librarians sell copy cards to inmates in denominations of \$2, \$5 and \$10. They can be purchased by filling out a money transfer.
 - b. Copy cards are not transferable. Inmates found in possession of another inmate's copy card will be subject to disciplinary action.
Exception – an inmate infirmity aide worker may purchase copies for the inmate they have been assigned to care for with that inmate's copy card.
 - c. Inmates who are discharging to community supervision or flat discharge may bring their copy cards to the library where they can fill out a money transfer slip for a "refund" of the balance. The librarian will process the transfer slip through inmate accounting.
3. Copy fees:
 - a. Single-sided = \$0.20 / page
 - b. Double-sided = \$0.40 / page
4. Indigent inmates who are listed on the current indigent list will be allowed a total of 30 free pages of legal copies and/or legal forms per month.
5. Inmates on a restrictive copy count will be allowed a total of 30 pages of legal copies and / or legal forms per month. There will be no carry over or credit for copies not used in that month.

H. Collection Development

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The library and education supervisors will survey inmates and staff to determine needs and selection of books, materials, and programs offered at the libraries. Library collection selection applies as follows:

1. Subject matter will be selected as it furthers the objectives of the facility and in accordance with *MSP 5.4.1*. Disapproval is possible, and likely, if the material suggests affiliation with unsanctioned groups or could negatively affect inmate discipline, security, or rehabilitation.
2. Donated materials will be accepted or declined in accordance with the above guidelines.
 - a. Donations may be accepted from MSP staff, from community members and organizations, and from MSP inmates. Inmate donations are limited to books only.
 - b. Books offered to the libraries with restrictions that require special handling, or which prevent integration of the publications into the general collection, will not be accepted.
 - c. Donations become the property of MSP libraries. Once accepted and processed, all donations are subject to the libraries' regulations and procedures.
 - d. MSP inmate book donations:
 - 1) In order to donate a book to the libraries, an inmate must prove that the book is part of his authorized personal property.
 - 2) Inmates must complete a library donation form for each book at the time of donation.
 - 3) Inmates will be subject to disciplinary action if they donate, or attempt to donate, books that are not part of their authorized personal property.

I. Inmate Conduct

If an inmate(s) is engaging in inappropriate or disruptive behavior, or is violating any institutional rule, Library staff will send the disruptive individual(s) back to his housing unit. The remainder of the library period may be cancelled if staff feel the situation merits that action. The disruptive inmate(s) will be subject to disciplinary action.

IV. CLOSING

Questions concerning this operational procedure will be directed to the Librarian.

V. ATTACHMENTS (none)